

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

NAUTILUS INSURANCE COMPANY,
Plaintiff

v.

HAMMERS CONTRACTORS, INC.;
FITLER CONSTRUCTION GROUP LLC;
2330 SANSOM STREET LLC; HANNA
MARHUNOVA, as Administratrix of the
ESTATE OF SIARHEI MARHUNOU
Deceased, and in her Own Right.
Defendants

Civil Action No. 2:23-cv-04140-MAK

**JOINT STIPULATION OF VOLUNTARY DISMISSAL OF DEFENDANTS, FITLER
CONSTRUCTION GROUP LLC AND 2330 SANSOM STREET LLC**

Plaintiff, Nautilus Insurance Company (“Nautilus”), and Defendants, Fitler Construction Group LLC and 2330 Sansom Street LLC (“Fitler/Sansom”), by and through their respective undersigned counsel, and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, respectfully request that this Court dismiss Nautilus’s Complaint as to Fitler/Sansom only – in exchange for the following stipulation.

In exchange for Nautilus’s agreement to dismiss its Complaint against them, Fitler/Sansom hereby stipulate that (a) they hereby withdraw their tender to Nautilus of their defense and indemnity in the underlying action captioned, *Hanna Marhunova v. Fitler Construction Group, LLC et al.*, Philadelphia Court of Common Pleas, May Term, 2022, Case Id. 220501520 (the “Underlying Action”), and (b) they agree that Nautilus has no obligation to further defend or to indemnify them in the Underlying Action and/or for any judgment or settlement therein.

POST & SCHELL, PC

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